U.S.S.N.: 08/480,850
Filed: June 7, 1995
FIFTH AMENDMENT

In the Claims

Please cancel Claim 17.

Please amend the claims by inserting the underlined words and deleting the words in brackets as follows:

7. (four times amended) Recombinant herpes simplex virus gG-1 antigen produced by employing a recombinant baculovirus having [the 5' nontranslated leader sequence of the polyhedrin gene joined to the coding region of a foreign gene precisely at the translation initiation codon of the polyhedrin gene, without either missing any nucleotide present in said initiation codon or introducing any extraneous nucleotide at the initiation codon site,] a nontranslated polyhedrin gene leader sequence CTATAAAT joined to the 5' end of a polyhedrin gene translation initiation codon ATG, and having the polyhedrin gene translation initiation codon ATG joined to the 5' end of the coding region of a foreign gene, without any extraneous nucleotide between the 5' end of the nontranslated polyhedrin gene leader sequence CTATAAAT, the polyhedrin gene translation initiation codon ATG and the 5' end of the coding region of a foreign gene, wherein said foreign gene is herpes simplex virus type 1 glycoprotein gene.

8. (four times amended) Recombinant herpes simplex virus gG-2 antigen produced by employing a recombinant baculovirus having [the 5' nontranslated leader sequence of the polyhedrin gene joined to the coding region of a foreign gene precisely at the translation initiation codon of the polyhedrin gene, without either missing any nucleotide present in said initiation codon or introducing any extraneous nucleotide at the initiation codon site,] a nontranslated polyhedrin gene leader sequence CTATAAAT joined to the 5' end of a polyhedrin gene translation initiation codon ATG, and having the polyhedrin gene translation initiation codon ATG joined to the 5' end of the coding region of a foreign gene, without any extraneous nucleotide between the 5' end of the nontranslated polyhedrin gene leader sequence CTATAAAT, the polyhedrin gene translation initiation codon ATG and the 5' end of the coding region of a foreign gene, wherein said foreign gene is herpes simplex virus type 2 glycoprotein gene.

~~16.~~ (thrice amended) A composition comprising pure recombinant baculovirus expressed herpes simplex virus gG-1 antigen ~~or herpes~~ simplex virus gG-2 antigen in a pharmaceutically acceptable carrier, wherein the recombinant baculovirus ~~has a~~ nontranslated

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~~polyhedrin~~ gene leader sequence CTATAAAT joined to the 5' end of a polyhedrin gene translation initiation codon ATG, and has the polyhedrin gene translation initiation codon ATG joined to the 5' end of the coding region of the herpes simplex virus type 1 glycoprotein gene or the herpes simplex virus type 2 glycoprotein gene, without any extraneous nucleotide between the 5' end of the nontranslated polyhedrin gene leader sequence CTATAAAT, the polyhedrin gene translation initiation codon ATG and the 5' end of the coding region of the herpes simplex virus type 1 glycoprotein gene or the herpes simplex virus type 2 glycoprotein gene.

REMARKS

The present application is directed the recombinant herpes simplex virus types 1 and 2 glycoprotein antigens designated glycoprotein G-1 (gG-1) and glycoprotein G-2 (gG-2) produced by baculovirus expression vectors. The recombinant antigens are particularly useful for detecting type-specific herpes simplex virus infections.

Claims 7, 8 and 16 have been amended to more clearly describe the components of the recombinant baculovirus used to produce the recombinant antigens, as suggested by the Examiner.

Applicants note that the term "pure" was deleted from Claims 7 and 8 (first line) in the Third Amendment and Response to Office Action dated May 14, 1997, and that this amendment was entered by the Examiner, but was inadvertently omitted from the recitation of the claims in the Claims on Appeal section of the Appendix of the Appeal Brief filed February 9, 1999.